UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

REGION SIX

In the Matter of:

UNIFIRST CORPORATION,

Employer

and

ROBERT A. FUSILLO

Case No. 06-RD-097418

Petitioner

and

UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS, INTERNATIONAL UNION, AFL-CIO, CLC, LOCAL 1324-15

Union

EMPLOYER'S EXCEPTIONS TO HEARING OFFICER'S REPORT ON CHALLENGED BALLOT & OBJECTIONS TO ELECTION

Peter R. Kraft, Esq. 10 Moulton St. Portland, Maine 04101 (207) 761-2500

Attorney for Employer UNIFIRST CORPORATION

UniFirst Corporation ("Employer") hereby asserts the following Exceptions to the Hearing Officer's Report On Challenged Ballot and Objections ("H.O. Report") issued in the above-referenced matter on August 28, 2013:

- (1) The Employer excepts the Hearing Officer's finding that the Employer's representatives made express or implied promises of non-union retirement benefits to employees to persuade them to vote against the Union in the June 12, 2013 decertification election. (Objections 1 and 2, H.O. Report p. 33.)
- (2) The Employer excepts the Hearing Officer's finding that the "disclaimers" made by the Employer's management, (including recurring statements that the Company's non-union retirement benefits were obtainable by employees through collective bargaining,) were inadequate and/or immaterial to properly and lawfully put in proper context their statements describing details of the Employer's non-union retirement benefits. (Objections 1 and 2, H.O. Report, p. 33)
- (3) The Employer excepts the Hearing Officer's failure, in her evidentiary conclusions, to take into account the degree to which Union witnesses' testimony was the product of a pattern of leading questions by Union counsel on the subject of their understanding of what managerial speakers said about the Employer's non-union retirement benefits. (Objections 1 and 2, H.O. Report, pp. 31-33)
- (4) The Employer excepts the Hearing Officer's finding that the Employer's reprentatives told employees prior to the June 12, 2013 election that the only way for them to obtain non-union retirement benefits was to decertify the Union. (Objections 1 and 2, H.O. Report p. 33)
- (5) The Employer excepts the Hearing Officer's finding that the Employer committed objectionable conduct by telling employees the monies in their pension fund would be frozen if

the Union ceased representing them. (Objections 1 and 2, H.O. Report p. 33)

Dated this 11th day of September, 2013 in Portland, Maine.

Respectfully submitted,

/s/ Peter R. Kraft_

Peter R. Kraft, Esq. (Me Bar #2171) 10 Moulton St. Portland, ME 04101 207-761-2500

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been sent via the U.S Postal Service, postage pre-paid, to Robert W. Chester, Regional Director, Region 6, National Labor Relations Board, William S Moorhead Federal Building, 1000 Liberty Avenue, Room 904, Pittsburgh, PA 15222-4111; and to Howard Grossinger, Esq., Grossinger, Gordon, Vatz, LLP, 100 Law & Finance Building, 429 Fourth Avenue, Pittsburgh, Pennsylvania 15219 this 11th of September, 2013. I further certify that a true and correct copy was hand-delivered to Robert A. Fusillo (Petitioner.) the same date as stated above.

/s/ Peter R. Kraft
Peter R. Kraft, Esq.